

1 ARASTO FARSAF (SBN: 273118)  
2 NANCY WENG (SBN: 251215)  
3 **FARSAF LAW OFFICE, P.C.**  
4 1625 The Alameda, Suite 525  
San Jose, CA 95126  
Tel: 408-641-9966  
Fax: 408-866-7334  
Emails: farsadlaw1@gmail.com  
nancy@farsadlaw.com

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6 Attorney for Debtor  
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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

10 In re: } Case No. 23-50023 MEH  
11 Y. ROGER YU, } Chapter 13  
12 Debtor. } **NOTICE OF MOTION TO CONVERT  
CASE FROM A CHAPTER 13 TO A  
CHAPTER 11 AND OF OPPORTUNITY  
TO REQUEST HEARING;  
CERTIFICATE OF SERVICE**  
13 }  
14 } JUDGE: HON. M. ELAINE HAMMOND  
15 \_\_\_\_\_

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17 **TO THE HONORABLE JUDGE M. ELAINE HAMMOND, THE UNITED  
STATES TRUSTEE'S OFFICE FOR THE NORTHERN DISTRICT OF CALIFORNIA,  
THE CHAPTER 13 TRUSTEE, THE MOVANT, ALL OTHER PARTIES IN  
INTEREST, AND THEIR RESPECTIVE COUNSEL(S) OF RECORD: PLEASE TAKE**  
18 NOTICE that the Debtor has filed a Motion to Convert Case from a Chapter 13 to a Chapter 11  
19 (Under 11 U.S.C. Sections 706(a) or 1112(a)) ("Motion") A copy of the Motion is filed  
20 concurrently with this Notice.  
21  
22 PLEASE TAKE FURTHER NOTICE that, pursuant to B.L.R. 9014, you have fourteen  
23 (14) days from the date of service of this Notice to object to this Motion.  
24  
25 Any such objection must be filed with the Clerk of the United States Bankruptcy Court  
26 at 280 South 1<sup>st</sup> Street, Room 3035, San Jose CA 95113, and shall be served upon the Chapter  
27 13 Trustee (Devin Derham Burk), the United States Trustee, and the Debtor's Attorney.  
28

Notice of Motion to Convert Case from a Chapter 13 to a

Chapter 11 and Opportunity to Request Hearing; Certificate of Service - 1

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1 If an objection is timely made, the Debtor shall set the matter for hearing and give  
2 notice of the date of the hearing to the objecting party, the Chapter 13 Trustee and the United  
3 States Trustee.

4 If an objection is not timely made, the Court may enter an Order converting the case  
5 from a Chapter 13 proceeding to a Chapter 11 proceeding.

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7 Respectfully submitted,

8 Dated: February 15, 2023

9 FARSAD LAW OFFICE, P.C.

10 /s/ Arasto Farsad

11 Arasto Farsad, Esq.  
Attorneys for Debtor

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Notice of Motion to Convert Case from a Chapter 13 to a

Chapter 11 and Opportunity to Request Hearing; Certificate of Service - 2

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## **CERTIFICATE OF SERVICE**

I am at least 18 years of age and not a party to the within action; my business address is FARSAD LAW OFFICE, P.C., 1625 The Alameda, Suite 525, San Jose, CA 95126. On February 15, 2023, I served the interested parties (as indicated below) with the documents described as follows:

- 1. NOTICE OF MOTION TO CONVERT CASE FROM A CHAPTER 13 TO A CHAPTER 11 and OPPORTUNITY TO REQUEST HEARING; PROOF OF SERVICE;**
- 2. MOTION TO CONVERT CASE FROM A CHAPTER 13 TO A CHAPTER 11 (UNDER 11 U.S.C. Sections 706(a) or 1112(a)); and**
- 3. DECLARATION OF ARASTO FARSAZ, ESQ., IN SUPPORT OF MOTION TO CONVERT CASE FROM A CHAPTER 13 TO A CHAPTER 11 (UNDER 11 U.S.C. Sections 706(a) or 1112(a)).**

**BY USPS FIRST CLASS MAIL:** By placing true copies thereof enclosed in a sealed envelope with prepaid postage and addressed to all addressees on the attached Court Creditor List / Matrix.

**BY NOTICE OF ELECTRONIC FILING:** I also caused to be served the above-described documents by means of electronic transmission via the Notice of Electronic Filing through the Court's transmission facilities, to the following parties and/or counsel who are registered CM/ECF users. *All CM/ECF registered participants.*

I declare under penalty of perjury that the above statements are true and accurate.

Executed on February 15, 2023, at San Jose, California.

/s/ *Arasto Farsad*

Arasto Farsad

Label Matrix for local noticing  
0971-5  
Case 23-50023  
California Northern Bankruptcy Court  
San Jose  
Wed Feb 15 07:08:41 PST 2023

Devin Derham-Burk  
P.O. Box 50013  
San Jose, CA 95150-0013

CA Employment Development Dept.  
Bankruptcy Group MIC 92E  
P.O. Box 826880  
Sacramento, CA 94280-0001

CA Franchise Tax Board  
Attn: Special Procedures  
P.O. Box 2952  
Sacramento, CA 95812-2952

Douglas Sykes  
c/o Scheer Law Group, LLP  
155 North Redwood Dr #100  
San Rafael, CA 94903-1966

Arasto Farsad  
Farsad Law Office, P.C.  
1625 The Alameda, Suite 525  
San Jose, CA 95126-2224

Franchise Tax Board  
Bankruptcy Section MS A340  
P.O. Box 2952  
Sacramento, CA 95812-2952

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

James Lee  
P.O. Box 20224  
Seattle, WA 98102-1224

Justin Lin  
1053 E. Meadow Circle  
Palo Alto, CA 94303

MCLP Asset Company, Inc. c/o  
NewRez LLC dba Shellpoint Mortgage Servi  
PO Box 10826  
Greenville SC 29603-0826

Newrez LLC  
1100 Virginia Dr Suite 125  
Fort Washington, PA 19034-3235

Office of the U.S. Trustee / SJ  
U.S. Federal Bldg.  
280 S 1st St. #268  
San Jose, CA 95113-3004

(p)PNC BANK RETAIL LENDING  
P O BOX 94982  
CLEVELAND OH 44101-4982

Shellpoint  
PO Box 10826  
Greenville, SC 29603-0826

(p)CALIFORNIA STATE BOARD OF EQUALIZATION  
ACCOUNT REFERENCE GROUP MIC 29  
P O BOX 942879  
SACRAMENTO CA 94279-0029

Taylor Chen  
1525 MIRamonte Ave., #3082  
Los Altos, CA 94024-9001

(p)U S ATTORNEY'S OFFICE NORTHERN DISTRICT  
450 GOLDEN GATE AVENUE  
9TH FLOOR  
SAN FRANCISCO CA 94102-3419

Wei Wang  
No. 3388 Zhoujiazui Rd., Bldg. 8  
Shanghai, China

Reilly Wilkinson  
Scheer Law Group  
155 N Redwood Dr. #100  
San Rafael, CA 94903-1966

Y. Roger Yu  
115 College Ave  
Mountain View, CA 94040-1512

PNC Bank  
P.O. Box 1820  
Dayton, OH 45401

State Board of Equalization  
Attn: Special Procedures Section, MIC:55  
P.O. Box 942879  
Sacramento, CA 94279

U.S. Attorney  
Civil Division  
450 Golden Gate Ave.  
San Francisco, CA 94102-3400

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

(u)Douglas G. Sykes

End of Label Matrix	
Mailable recipients	20
Bypassed recipients	1
Total	21